

COMMON COUNCIL MEETING MINUTES

MONDAY, FEBRUARY 6, 2006 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT

Mayor James Brainard, Council President Rick Sharp, Council Members Kevin Kirby, Brian Mayo, Joe Griffiths, Fred Glaser, Ron Carter, Mark Rattermann, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Carmel Police Chaplain, George Davis, pronounced the Invocation.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:

In the audience was WEBLO Den Pac #131 sponsored by the Carmel United Methodist Church. The WEBLO's were working on their Citizenship Badges.

APPROVAL OF MINUTES:

Councilor Mayo made a motion to approve the Minutes of the January 23, 2006 Special Meeting. Councilor Griffiths seconded. Council President Sharp called for the question. The Minutes were approved 7-0.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:

The following person addressed Council in favor of Ordinance D-1790-06:

Al Koeske	14208 Joshua Drive, Carmel, IN
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The following persons addressed Council in favor, but opposing the speed limit, of Ordinance D-1790-06:

Joe Gibson	13810 Laredo Drive, Carmel, IN
Michael Mills	835 Grace Drive, Carmel, IN
Jay Hardcastle	200 Harmony Road, Carmel, IN
Karen Mills	835 Grace Drive, Carmel, IN
Keegan Green	1710 E. 110 th Street, Carmel, IN
Ronald Gurth	531 2 nd Avenue NE, Carmel, IN
Tom Cieslica	861 Golfview Drive, Carmel, IN

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:

Council President Sharp announced that the Government Finance Officers Association of the United States and Canada has presented Clerk-Treasurer Diana L. Cordray and her staff with the Certificate of Achievement for Excellence in Financial Reporting Award. This award is the highest form of recognition in governmental accounting and financial reporting. The certificate program advocates that recipients be formally recognized for this outstanding accomplishment.

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Mayo made a motion to approve the claims in the amount of \$1,984,088.68. Councilor Griffiths seconded. Council President Sharp called for the question. Claims were approved 7-0.

COMMITTEE REPORTS:

Councilor Rattermann reported that the Finance, Administration and Rules Committee had not met.

Councilor Glaser reported that the Land Use, Annexation and Economic Development Committee had not met. The next meeting will be on Thursday, February 9, 2006 at 5:30 p.m.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Kirby reported that the Utilities, Transportation and Public Safety Committee met this evening and discussed Ordinance D-1790-06, Ordinance D-1794-06 and Ordinance D-1791-06, which were all sent to the full Council with a 4-0 favorable recommendation. Resolution CC-01-23-06-02 was briefly discussed and will remain in committee.

OLD BUSINESS

Council President Sharp announced the **Second Reading of Ordinance D-1790-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing Speed Limits and Stop Intersections, and Designating Through Highways, Relative to the Monon Greenway. Councilor Carter presented this item to Council. Councilor Mayo made a motion to amend Section 4, Section 8-28 (1) to read: The Monon Greenway from its intersection with 111th Street to its intersection with 1st Street NW. The motion died for lack of a second. Councilor Griffiths made a motion to strike Section 4 from Ordinance D-1790-06. The motion died for lack of a second. Councilor Rattermann made a motion to amend Section 4, Section 8-28 (a.) to read: No person may operate any "vehicle," as that term is defined in Indiana Code 9-13-2-196, as amended, in excess of twenty miles per hour (20 mph) on the following streets:. The motion died for lack of a second. Councilor Carter seconded. Council President Sharp passed the gavel to Councilor Glaser to address the Council. Councilor Glaser called for the question. The motion by Councilor Rattermann was approved 6-1 (Councilor Griffiths opposed). Council President Sharp

reclaimed the gavel from Councilor Glaser. Councilor Carter made a motion to amend the amendment, Section 4, Section 8-28 (a.) to read: No person may operate any “vehicle,” as that term is defined in Indiana Code 9-13-2-196, as amended, in excess of twenty miles per hour (20 mph) along the length of the Monon Greenway, excepting: (1) The Monon Greenway from its intersection with 111th Street to its intersection with 1st Street NW, where the speed limit shall be 10 mph. Councilor Glaser seconded. Councilor Kirby made a motion to amend the amendment to the amendment to read: (1) The Monon Greenway from its intersection with 111th Street to its intersection with 136th Street, where the speed limit shall be 15 mph. Councilor Rattermann seconded. There was brief Council discussion. The City Attorney Doug Haney addressed Council regarding the statutory section which only allows the speed to be reduced to not less than 15 mph. Council President Sharp called for the question on Councilor Kirby’s amendment. The motion to amend the amendment to the amendment was approved 6-1 (Councilor Griffiths opposed). Council President Sharp read the proposed amendment to be adopted by the Council. There was no Council discussion. Council President Sharp called for the question.
Ordinance D-1790-06, As Amended, was adopted 7-0.

Council President Sharp announced the **Second Reading of Ordinance D-1791-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 6, Article 4, Section 6-54 of the Carmel City Code (Posting and Placement of Signs in Public Right-Of-Way Prohibited). Councilor Carter presented this item to Council. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1791-06** was adopted 7-0.

Council President Sharp announced the **Second Reading of Ordinance D-1794-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Regarding City of Carmel Stormwater Management. Councilor Glaser informed the Council that this ordinance was sent from the Utilities committee to the full Council, with a 4-0 favorable recommendation. There was no Council discussion. Council President Sharp called for the question. **Ordinance D-1794-06** was adopted 7-0.

PUBLIC HEARINGS

Council President Sharp announced the **First Reading of Ordinance Z-486-06**; An Ordinance of the Common Council of the City of Carmel, Indiana, Updating a Variety of Provisions of the Carmel Zoning and Subdivision Control Ordinances (Chapters 3, 6, 9, 23F, 25 and 25-07). Councilor Rattermann made a motion to move this item into business. Councilor Carter seconded. Councilor Rattermann presented this item to Council. There was no Council discussion. Council President Sharp referred Ordinance Z-486-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration. Council President Sharp opened the Public Hearing at 6:57p.m. Seeing no one who wished to speak, Council President Sharp closed the Public Hearing at 6:58 p.m. Council President Sharp referred Ordinance Z-486-06 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

NEW BUSINESS

Council President Sharp announced **Resolution CC-02-06-06-01**: A Resolution of the Common Council of the City of Carmel, Indiana, Approving the Enlargement of Certain Economic Development Areas in the City (The 126th Street EDA, Old Town EDA, Illinois Street EDA and Merchants Pointe EDA). Councilor Griffiths made a motion to move this item into business. Councilor Mayo seconded.

Councilor Carter referred to Bruce Donaldson, Barnes & Thornburg, 11 South Meridian Street, Indianapolis, IN 46204 for a presentation to the Council. Also in attendance was Loren Mathes of Umbaugh. There was brief Council discussion. Bruce Donaldson referred to Loren Mathes for clarification. There was extensive Council discussion. Mayor Brainard addressed the Council. Council President Sharp called for the question. **Resolution CC-02-06-06-01** was adopted 5-2 (Councilors Glaser and Rattermann opposed).

Resolution CC-02-06-06-02 (Formerly CC-01-23-06-02); A Resolution of the Common Council of the City of Carmel, Indiana, Amending the Contract with the Carmel Professional Firefighters Association (Local #4444). This Resolution remains in committee.

OTHER BUSINESS

Second Reading of Ordinance D-1782-05; An Ordinance of the Common Council of the City of Carmel, Indiana to Vacate a Segment of Right-Of-Way for River Road; Sponsor: Councilor Glaser. TABLED 12/19/05. This Ordinance remains tabled.

Second Reading of Ordinance Z-485-05; An Ordinance of the Common Council of the City of Carmel, Amending the Parking Requirements in the Carmel Zoning Ordinance (Chapter 27: Additional Parking & Loading Regulations); Sponsor: Councilor Rattermann. This Ordinance remains in PLAN COMMISSION.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENTS

Mayor Brainard adjourned the meeting following execution of documents at 7:27 p.m.

ADJOURNMENT

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

Mayor James Brainard

ATTEST:

Clerk-Treasurer Diana L. Cordray, IAMC

02/06/06 CC Minutes